

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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APPLIED TECHNOLOGY LIMITED,

Plaintiff,

07 Civ. 6620 (LTS)

- against -

PETITION FOR REMOVAL

ECF CASE

WATERMASTER OF AMERICA, INC.

Defendant.

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Defendant WATERMASTER OF AMERICA, INC., by its counsel, Lathrop & Gage L.C. in the above-entitled lawsuit, desiring to exercise its right to removal pursuant to 28 U.S.C. § 1441 and § 1446, states as follows:

1. This lawsuit was commenced by plaintiff against the defendants in the Supreme Court of the State of New York, New York County. Plaintiff seeks damages in the amount of \$633,130.00 with interest. Plaintiff's causes of action include breach of contract, breach of good faith and fair dealing, unjust enrichment, and common law fraud against defendant. A copy of plaintiff's Summons and Complaint are annexed as Exhibit A.

2. Service was made upon the New York Secretary of State on July 3, 2007, with service thereafter made upon the registered agent by regular U.S. Mail as required under Section 306 of the Business Corporation Law, New York. The registered agent received the service of Summons and Complaint on or about July 7, 2007.

3. This is a suit of a civil nature which this United States District Court has original jurisdiction by reason of the diversity of citizenship of the parties pursuant to 28 U.S.C. § 1332.

4. Plaintiff is a corporation formed and licensed to do business in the Bailiwick of Jersey, a British Crown dependency, with its offices located in Jersey, the Channel Islands. See Exhibit A.

5. Defendant is a Florida corporation licensed to do business in New York with offices located in New York County, New York. See Exhibit B.

6. The amount in dispute in this lawsuit exceeds the sum of \$75,000.00, exclusive of interest and costs.

WHEREFORE, Defendant WATERMASTER OF AMERICA, INC. requests that this case be removed to the United States District Court, Southern District of New York.

Dated: New York, New York
July 23, 2007

Respectfully submitted,

/s/ William R. Hansen
William R. Hansen (WH-6446)
Bernadette McGlynn Reilly (BR-4117)
LATHROP & GAGE L.C.
230 Park Avenue, Suite 1847
New York, New York 10169
(212) 850-6220
Fax: (212) 850-6221